

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ERIC MILLER,
Plaintiff,

v.
EDUTREK, LLC,
Defendant.

Case No. 14-cv-01277-YGR

ORDER SETTING HEARING

On December 3, 2014, in light of the pending motion to withdraw filed by plaintiff's counsel, the Court issued an Order to Show Cause and Directing Plaintiff Eric Miller to Show Continued Intent to Prosecute this Action, ordering plaintiff to personally appear at a hearing scheduled for December 19, 2014 at 9 a.m. (Dkt. No. 33.) Plaintiff did not personally appear at the December 19, 2014 hearing. At the hearing, the Court notified counsel that it intended to dismiss the action with prejudice, but defendant requested the Court maintain jurisdiction while it considered whether to file a Rule 11 motion.

A hearing regarding the status of the case shall be held on **January 13, 2015**, on the Court's 2 p.m. calendar, in the Federal Courthouse, 1301 Clay Street, Oakland, California, Courtroom 1.

By **December 29, 2014**, defendant shall file either: (a) a proposed form of order for a dismissal with prejudice; or (b) a statement that it intends to file a Rule 11 motion, which will then be addressed prior to any briefing (unless the Court orders otherwise) at the January 13, 2015 hearing. If defendant has filed a proposed form of order for dismissal, the parties need not appear and the hearing will be taken off calendar.

IT IS SO ORDERED.

Dated: December 19, 2014


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE